

BICOM

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OPERATION SWORDS OF IRON

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“Parents butchered, using their bodies to try to protect their children; stomach-turning reports of babies being killed; entire families slain; young people massacred while attending a musical festival... women raped, assaulted, paraded as trophies. There are moments in this life — I mean this literally — when a pure unadulterated evil is unleashed on this world. The people of Israel lived through one such moment this weekend [at] the bloody hands of the terrorist organisation Hamas — a group whose stated purpose for being is to kill Jews.”

President Joe Biden, October 2023



PART 1: WHAT HAPPENED ON OCTOBER 7 2023?

On October 7th, over 2,000 Hamas terrorists, in concert with a smaller number of Palestinian Islamic Jihad terrorists, infiltrated Israel from Gaza and conducted a brutal, sustained, and unprovoked attack on Israel's southern communities. Senior Hamas Official Ali Baraka subsequently admitted that the group had been secretly planning the invasion for two years.

Over 1400 Israelis, the overwhelming majority civilians, were murdered in the attack – a figure far surpassing the deaths in the previous 19 years of conflict – and at least 4,121 injured. At least 199, and perhaps as many as 250, Israelis, including babies, children, and the elderly, were also taken hostage and transported to the Gaza Strip. The dead and missing include at least 16 Brits. Fifty-four Israeli communities have been evacuated.

In the days since the attacks, Hamas has continued to fire rockets at Israel – over 7,000 as of October 18, including 450 that have landed *inside* Gaza itself.

It has also called openly for other fronts in the Islamic “resistance” to join the fight against Israel, including its better manned, funded, trained, and equipped fellow Iranian proxy Hezbollah in southern Lebanon. Although discouraged from mounting a serious escalation – not least by US President Biden's resolute support for Israel and his warning to others not to escalate – Hezbollah has launched a series of mortar and anti-tank missile strikes on communities in Israel's northern border. Palestinian factions operating out of Southern Lebanon have also launched attacks.

Part 2: WHO ARE HAMAS?

2.1 What is Hamas' ideology?

The de facto sovereign authority in Gaza since 2007 since seizing power in a brutal coup against its Fatah rival, Hamas is a radical Islamist movement that considers the destruction of Israel a religious imperative. In this respect, it does not differ from the radical Salafis of al-Qaeda or ISIS jihadis. Indeed, an ISIS flag was found in one of the communities after the deadly attack on October 7.

With its roots in the Islamist Muslim Brotherhood, Hamas is built on an ideology of hostility to the West, hatred of Jews and absolute rejection of Jewish sovereignty anywhere in the Middle East.

Hamas' ideology is violently anti-Israel and antisemitic. The Hamas Charter of founding principles opens with the statement: "Israel will exist and will continue to exist until Islam will obliterate it, just as it obliterated others before it." The Hamas Charter targets Jews as Jews. It includes a religious hadith: "The Day of Judgment will not come about until Muslims fight the Jews (killing the Jews), when the Jew will hide behind stones and trees. The stones and trees will say O Muslims, O Abdullah, there is a Jew behind me, come and kill him."

Hamas views Israel as a foreign entity in the Middle East and seeks its erasure from the regional map. In 2021, Deputy Chairman of Hamas's Political Bureau Musa Abu Marzouk said "Israel will come to an end just like it began... The day will come when people ask: 'Where did Israel go?'" In Palestinian media, Hamas continually exhorts Palestinians to violence. Al-Aqsa TV (Hamas) on 9 July 2014 broadcast this message: "Zionists, wait and see terror attacks, stabbing everywhere. Wait for suicide attacks on every bus, café and street. Wait for the rage and for revenge for Gaza, wait for the flames of the West Bank, inside you."

The Hamas Charter rejects all possible compromise with Israel and all possibility of a negotiated peace in the following terms: "There is no solution for the Palestinian question except through Jihad. Initiatives, proposals and international conferences are all a waste of time and vain endeavours."

Hamas admit they do not regard a two-state solution as a basis for peace, but as an 'interim solution' only, and as part of their long-term strategy of wearing down and eliminating the Jewish state.

Hamas is a terrorist organisation. Both the military and political wings of Hamas are classified as a terrorist organisation by the US, UK, and the EU.

2.2 What is Hamas' military capacity?

At times of full mobilisation, Hamas is able to call on between 40,000 and 50,000 operatives, a rocket arsenal in excess of 30,000 and drones built with the assistance of Iran. Hamas' missile capacity also includes adapted Iranian-made Fateh-110 road mobile surface-to-surface ballistic missiles with a range of 200 km and capable of carrying warheads weighing up to 500kg. While previously Hamas relied on the smuggling of rockets from Iran and Syria, in recent years domestic production has become the norm.

Hamas has tried to overwhelm Iron Dome. While Israel's Iron Dome system is highly effective at intercepting rockets projected to land in populated areas, it can be overwhelmed by the simultaneous firing of large numbers of rockets.

2.3 How does Hamas rule Gaza?

Hamas has turned Gaza into a brutal and repressive regime. Arms and weaponry are being smuggled in at an alarming rate. The movement suppress opposition, media, and Christians and has imposed a stringent form of Islamic rule in the Strip. The very fabric of daily life in Gaza is changing. Islamic observance has changed from social norm to legal compulsion.

Human rights abuses. In 2012 Human Rights Watch published a damning report about human rights violations committed by Hamas in Gaza. The report highlighted "extensive violations by Hamas security services, including warrantless arrests, failure to inform families promptly of detainees' whereabouts, and subjecting detainees to torture." It also documented "violations of detainees' rights by prosecutors and courts" and pointed out that "Military courts frequently try civilians, in violation of international law."

2.4 What role does Iran play?

Hamas is a key tentacle in what Israeli security officials refer to as the Iranian "Octopus". Hamas, along with PIJ the lone Sunni element in the Iranian axis – which also includes the better trained and equipped Hezbollah in Lebanon, and Syria – benefits from Iranian funding, training, and weapons supply. Iran is a nuclear

threshold state committed both to the destruction of the State of Israel and the brutal suppression of its own people. While its specific involvement in the planning of the Hamas attacks of October 7 remains to be seen, it is nigh impossible that Hamas would have acted without Iranian approval at a senior level. Last month, Iranian Foreign Minister Hossein Amir-Abdollahian held a closed meeting with Hamas and PIJ leaders in Beirut. Amir-Abdollahian flew into Beirut once more on October 12th, where he was met by Hamas's Lebanon representative Ahmed Abdulhadi. Abdulhadi had earlier told Newsweek of the October 7th attacks: "We coordinated with Hezbollah and with Iran and the Axis [of Resistance] before, during and after the battle at the highest level."

Part 3: ISRAELI POLICY TOWARDS GAZA 2007 – 2023

Hamas' violent takeover of Gaza from the Palestinian Authority in 2007 – following Israel's complete withdrawal from the Strip in 2005 – provided dilemmas over how to protect the country against Hamas' military capacity, and how to deny Hamas legitimacy or assistance whilst avoiding a humanitarian crisis. In this context, five main scenarios presented themselves: full scale war, limited military operation against Hamas, ceasefire, a narrow political arrangement, and long-term agreement / Hudna. With the gaps between the sides were too large for a Hudna, and a full scale war was considered too costly, the sides generally moved between limited military operations, ceasefires and narrow political agreements.

3.1 How did Israel seek to defend itself against Hamas?

With Hamas unwilling to recognise Israel or reject terrorism, Israel implemented a blockade of Gaza to prevent weapons smuggling. While many human rights group claim the 'siege' was illegal, a 2011 UN Report written by former New Zealand Prime Minister Sir Geoffrey Palmer stated that it was a legitimate security response. "Israel faces a real threat to its security from militant groups in Gaza. The naval blockade was imposed as a legitimate security measure in order to prevent weapons from entering Gaza by sea and its implementation complied with the requirements of international law."

Israel also developed Iron Dome and an underground barrier to protect itself against Hamas missiles and tunnels that sought to allow terrorists to infiltrate Israel and carry out attacks. The subterranean barrier cost approximately \$700 million.

3.2 How did Israel respond to Hamas rocket fire?

Israel launched major military operations in 2008–9 (Cast Lead), 2012 (Pillar of Defence), and 2014 (Protective Edge) – as well as shorter operations in 2019 and 2022 – in order to weaken Hamas and restore deterrence after escalating rocket fire by Hamas and PIJ. Israel’s goal was generally to restore the status quo ante, to weaken and confine Hamas but not to depose it. Hamas meanwhile tried to negotiate an end to the blockade in return for a ceasefire, in each case without success. Egypt generally played a critical role in brokering ceasefires.

3.3 How did Israel try to stabilize the situation in Gaza?

Israel approved several policies to try and calm the situation in Gaza and maintain a ceasefire. From 2018, Israel allowed Qatar to deliver approximately \$30 million monthly in cash to Gaza through an Israeli-controlled crossing. The Qatari aid went to some 100,000 needy families, fuel to operate Gaza’s sole power plant, and to pay the salaries of civil servants in the Hamas-run government. As of 2023, total Qatari aid to Gaza was thought to reach more than \$2.1 billion.

During times of relative quiet, Israel expanded its civilian humanitarian policy, including allowing increased imports and exports from Gaza, and extending the fishing zone and the quota of Palestinian daily workers who could enter Israel. During 2022, the numbers of daily workers swelled from 5,000 to 20,000 Palestinians.

Israel also provided 50% of the electricity in Gaza for free (technically covered by the Palestinian Authority, but as the bill was never paid and the amount grew, the debt was ultimately written off.) Despite the many international aid funds provided to Hamas after Operation Protective Edge in 2014, it did not restore the electrical infrastructure in Gaza.

3.4 Were there attempts to reconstruct Gaza?

It was widely acknowledged by the Israeli security establishment that easing

conditions inside the Gaza Strip would help reduce the chances of another round of intense violence. In this context, Israel tried to engage the international community to reconstruction problems within Gaza.

Construction material was allowed in to Gaza following the 2014 Operation Protective Edge. More than one million tonnes of construction materials entered Gaza through Israel under the Gaza Reconstruction Mechanism, with around 100,000 residents receiving materials to rebuild homes.

Israel was part of an effort led by Egypt and the UN Envoy to provide humanitarian and economic solutions for Gaza, which included a desalination plan, a new electricity line from Israel into Gaza, sewage solutions and more jobs. Israel also approved in principle the supply of additional water and electricity, along with the construction of a new natural gas line. Several Israeli politicians raised the idea of building a port in Gaza, or creating an artificial island off the coast to ease the humanitarian situation. According to the plan, the island would be connected to the Gaza mainland by a bridge that would be subject to security inspection.

However, one major sticking point was Hamas' refusal to relinquish its control of Gaza or disarm. Moreover, the PA was unwilling to assume any direct responsibility for Gaza's borders, not wanting to do anything to assist Hamas – which it saw as an enemy – and believing Hamas would not allow it real control inside the Gaza Strip. Nor was the PA willing to transfer salaries to Hamas officials.

Reconstruction efforts ultimately failed on the rock of Hamas rejectionism. With no alternative to Hamas control, and with Hamas unwilling to commit to demilitarise (or to mis-use the large amounts of money that would flow into the Strip) all of the major humanitarian ideas came to naught. Moreover, some of the money and building materials that did arrive in Gaza earmarked for reconstruction were commandeered by Hamas to build offensive tunnels.

Despite this rejectionism, Israeli efforts continued. In 2023, Israel approved the development of “Gaza Marine”, a small offshore gas field near Gaza that designed to

provide both Gaza and the West Bank with revenue and energy independence.

Part 4: OPERATION SWORDS OF IRON

The scale and barbarity of the October 7 attacks have changed to the Israeli security paradigm in Gaza from the traditional one of containment to one pursuing the removal of Hamas as the de facto sovereign in Gaza, and the removal of its terrorist capacity. Such an aim is commensurate with the threat Hamas has demonstrated it possesses, and its own willingness to change the paradigm to one of all-out war.

4.1 What are Israel's war aims?

Israel has announced four key war aims for Operation Swords of Iron:

1. Toppling the Hamas regime and destroying its military capabilities.
2. Removing the threat of terrorism from the Gaza Strip.
3. Maximum effort to return the hostages.
4. Defending the state's borders and its citizens.

Related Israeli security aims are to restore Israelis' confidence in the ability of the government and IDF to provide for their security – a confidence shaken by the surprise nature of the attacks and the speed of response to them. Israel will also look to reestablish its deterrent power in the eyes of both allies and enemies in the Middle East and beyond.

On 20th October, Israel's Defence Minister Yoav Gallant outlined three principle phases of Israel's campaign:

1. "... a military campaign is taking place with [airstrikes] and later with a [ground] manoeuvre with the purpose of destroying operatives and damaging infrastructure in order to defeat and destroy Hamas."
2. Lower intensity fighting to "eliminate pockets of resistance."
3. "The third step will be the creation of a new security regime in the Gaza Strip, the removal of Israel's responsibility for day-to-day life in the Gaza Strip, and the creation of a new security reality for the citizens of Israel and the residents of the [area surrounding Gaza]."

4.2 What has Israel done so far in response to Hamas's attacks?

The IDF and IAF have conducted a campaign of air strikes targeted at Hamas personnel and infrastructure in the Gaza Strip. Over 4200 targets have been attacked. Israel has also deployed other, non-kinetic, means in an effort to pressure Hamas to release hostages. These have included the temporary blocking of electricity, water, and aid from entering the Strip.

To minimise civilian casualties, Israel has urged Gazans, multiple times, to move south to a safe zone. In coordination with the US, Israel has cooperated with the opening of the Rafah Crossing to allow aid to flow to southern Gaza.

4.3 Will Israel now mount a ground operation in Gaza?

A ground incursion remains likely, since Israel's war aims are likely unachievable through airstrikes and non-kinetic means alone. The government and IDF have been consistent in advising that the timing of a ground incursion will be based on operational considerations alone.

4.4 Aren't Israel's actions disproportionate?

The notion of proportionality in warfare is widely misunderstood, and is usually used by the media and critics and delegitimisers of Israel to mean a simple equation of Palestinian vs. Israeli casualty numbers. Proportionality is more accurately understood as requiring of a party to a conflict that its actions be proportionate to the threat posed. In seeking to fully remove the capacity of Hamas to remain the political and military sovereign in the Gaza Strip, Israel is acting proportionately to a genocidal, eliminationist threat which was overwhelmingly demonstrated on October 7.

PART 5: INTERNATIONAL LAW

The wider media and social media narratives invariably feature references to international law, much of it uninformed and misleading.

5.1 What does international law say about Hamas's attack?

The *deliberate targeting* of Israeli civilians by Hamas, and Hamas's murder, torture,

rape, and abduction of those civilians, constitute gross violations of international law and international criminal law. In the words of Israeli legal scholar Col. (res.) Adv. Pnina Sharvit Baruch, “these horrific acts constitute the most serious crimes in international law defined as war crimes and crimes against humanity, and amount to the crime of genocide.”

5.2 Does Israel have the right to respond militarily?

Israel not only has the right to respond to an unprovoked attack of such incredible barbarity; its government has a sovereign *responsibility* to act to prevent a Hamas which has proven itself capable of such a large-scale attack from doing so again. As well as having a duty to defend its citizens, Israel, like all states, is duty bound to act to prevent genocide when the threat of one is credible. Hamas, a genocidal organisation which has proven its ability to murder on a scale previously thought unimaginable, falls into this category.

Under international law, Israel is obligated to respect the laws of armed conflict in its response to Hamas. This involves its actions being at all times faithful to three key pillars on international humanitarian law:

- **Distinction:** Parties to a conflict must recognise and respect the distinction between civilian and military targets.
- **Necessity:** The action taken must be necessary to a particular military objective.
- **Proportionality:** Much misunderstood (see below), this requires that military actions be proportionate to the threat faced.

Israel must restrict its airstrikes and other operations to military targets. However, as Sharvit Baruch notes, “the definition of ‘military targets’ includes civilian objects that by their nature, purpose, location, or use make an effective contribution to military action and whose destruction offers a definite military advantage.”

Hamas embeds itself amongst civilians. This is very relevant to the case of Hamas in the Gaza Strip, since the terrorist organisation has deliberately embedded its personnel, materiel, and infrastructure amongst the densely populated civilian population and within ordinarily civilian locations. As such, “it is permissible to

direct attacks toward these sites, as they have lost their civilian³ nature and have become legitimate military targets due to this use.”

Israel is committed to minimising civilian casualties. Civilian deaths are tragic, and Israel goes to great lengths to avoid them. Measures have included warning local residents by phone and by dropping leaflets that an airstrike is incoming, or engaging in “knocking on the roof”, whereby a non-explosive ordinance is first dropped on the targeted building, giving civilians inside time and warning to leave. These measures go above and beyond the minimum requirements imposed on a combatant in times of war. Israel has also repeatedly warned residents of northern Gaza to vacate the area and move south – a warning which Hamas has instructed civilians to ignore, preferring to use them as human shields – itself a war crime.

International law does not criminalise military actions causing civilian deaths. That civilian deaths do occur is a tragic but inevitable consequence of war. Nonetheless, international law does, provided “the collateral damage expected from the attack to civilians and civilian objects is [not] excessive in relation to the military advantage expected from the attack.” As Sharvit Baruch argues, “in view of the enormous threat that Hamas currently poses to Israel, the denial of its military capabilities is expected to give Israel a great security advantage. Without achieving this goal, Hamas will succeed in de facto denying Israel the exercise of its sovereignty in the areas adjacent to the border with the Gaza Strip. In light of this significant military advantage, even if many civilians in Gaza are harmed during the attacks, this is not necessarily excessive incidental damage and therefore would not be disproportionate attacks that are illegal.”

PART 6: BRITAIN’S RESPONSE

The UK government, along with the near-unanimous bipartisan, cross-party consensus has affirmed that Israel has the right to defend itself and that Britain will support it as it does so.

Prime Minister Rishi Sunak said “I am unequivocal... there are not two sides to these events. There is no question of balance. I stand with Israel. We stand with Israel. The United Kingdom stands with Israel.”

Sir Keir Starmer, a lawyer as well as the Leader of the Opposition³: “Israel has the right, indeed the duty, to defend herself and rescue these hostages.” (Our emphasis.) He also said: “I utterly condemn the ongoing attacks on Israel and her citizens. There is no justification for this act of terror which is being perpetrated by those who seek to undermine any chance for future peace in the region. Israel has a right to defend herself.”

Foreign Minister James Cleverly who was forced to take shelter as a siren went off during his visit subsequently wrote that he had “seen a glimpse of what millions experience every day. The threat of Hamas rockets lingers over every Israeli man, woman and child... The facts are clear. Hamas are terrorists. Israel has the right to defend itself. Hamas and Hamas alone are responsible and accountable for these appalling attacks. Terrorism must never be allowed to prevail.”

King Charles also offered his solidarity. In a lengthy phone call with Israel’s President Herzog, the king offered his condolences on the loss of the fallen Israelis. In a statement on Wednesday October 10, Buckingham Palace said King Charles was “appalled” by the attacks, and that “this is a situation His Majesty is extremely concerned about, and he has asked to be kept actively updated.”

The UK also deployed patrol and surveillance aircraft to Mideast to track arms transfers to terror groups, as well as two Royal Navy ships, the RFA Argus and RFA Lyme Bay, to the eastern Mediterranean. The British government says the move is to “track threats to regional stability such as the transfer of weapons to terrorist groups”.



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